

FAX TRANSMISSION**DATE:** September 28, 2004**PTO IDENTIFIER:** Application Number 09/604231-Conf. #4162
Patent Number**Inventor:** Markus POMPEJUS et al.**MESSAGE TO:** US Patent and Trademark Office**ATTN:** Examiner Maryam Monshipouri**FAX NUMBER:** (571) 273-0932**FROM:** LAHIVE & COCKFIELD, LLP

Lisa M. DiRocco

PHONE: (617) 227-7400**Attorney Dkt. #:** BGI-122CPRCE**PAGES (Including Cover Sheet):** 16

Pursuant to your request, transmitted herewith is a resubmission of the RCE and Amendment and Response originally filed on December 23, 2004 in connection with the above-identified application. Should you have any questions or comments, please do not hesitate to contact us

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1. Copy of Request for Continued Examination filed on 12/23/03 (1 page)
2. Copy of Amendment and Response filed on 12/23/03 (8 pages)
3. Copy of Petition for Five-Month Extension of Time (1 page) as filed on 12/23/03
4. Copy of Fee Transmittal (1 page) in duplicate as filed on 12/23/03
5. Copy of Return Receipt Postcard as filed on 12/23/03
6. Copy of Express Mail Label as mailed on 12/23/03

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COPY**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re the application of: Markus Pompejus *et al.*

Group Art Unit: 1652

Serial No.: RCE of 09/604,231

Examiner: M. Monshipouri

Filed: June 27, 2000

For: *Corynebacterium Glutamicum* Genes Encoding
Phosphoenolpyruvate: Sugar Phosphotransferase
System Proteins

Attorney Docket No.: BGI-122CPRCE

MS RCE**Commissioner for Patents****P.O. Box 1450****Alexandria, VA 22313-1450**

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Signature

Lisa M. DiRocco, Esq.

Please Print Name of Person Signing

AMENDMENT AND RESPONSE

Dear Sir:

Applicant submits herewith a Request for Continued Examination Under 37 CFR
§1.114 and a separate petition for the appropriate extension of time. This is in response
to the Office Action mailed November 26, 2002 (Paper No. 12) in parent application
serial no. 09/604,231. Please amend the application as follows:

RCE of USSN 09/604,231

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Art. 152
COPY

Amendments to the claims begin on page 3 of this paper.

Remarks begin on page 6 of this paper.